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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,700	07/27/2006	Manfred Meinherz	2004P00849	3539
24131 7590 02/14/2008 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480				
EXAMINER				
FISHMAN, MARINA				
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2832				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/587,700

**Applicant(s)**

MEINHERZ, MANFRED

**Examiner**

MARINA FISHMAN

**Art Unit**

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07/27/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date 07/27/2006
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***General status***

1. This is a First Action on the Merits. Claims 7 - 18 are pending in the case and are being examined.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by JP-354068942A.

Regarding Claim 7, JP-354068942A discloses a compressed-gas-insulated switching device [Figure 3] comprising:

- a grounded encapsulating housing [30] formed of electrically conductive material;
- the encapsulating housing having first and second flanges [Figure 3];
- an electrical phase conductor [31] electrically insulated within the encapsulating housing;

- first and second coupling housings [3a, 3b];
- a circuit breaker interrupter unit [4];
- a first insulating housing [20] surrounding the interrupter unit [4], connected through the first coupling housing [3b] to the first flange and having an interior;
- a switch disconnecter [2];
- a second insulating housing [10] surrounding the switch disconnecter [2], connected through the second coupling housing [3a] to the second flange and having an interior;
- the interrupter unit having a main current path with a first connecting point connected to the phase conductor [31] and a second connecting point leading exteriorly [5] from the interior of the first insulating housing [20];
- the switch disconnecter [2] having a first connecting point connected to the phase conductor [31] and a second connecting point leading exteriorly [1] from the interior of the second insulating housing [10].

Regarding Claims 8 and 9, JP-354068942A discloses the switch disconnecter [2] has a movable contact piece, and a drive device [13] is coupled to the second coupling housing [3a] for moving the movable contact piece; and the circuit breaker interrupter unit [4] has a movable contact piece, and a drive device [23] is coupled to the first coupling housing [3b] for moving said movable contact piece. Regarding Claim 10, JP-354068942A discloses the first insulating

housing [20] together with the interrupter unit [4] and the first coupling housing [3b], are interchangeable with the second insulating housing [10] together with the switch disconnector [2] and the second coupling housing [3a]. Regarding Claims 11, 12 and 13, JP-354068942A discloses drive shafts [24 and 14] passing through a wall of respective the first and second coupling housings.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 16 -18 rejected under 35 U.S.C. 103(a) as being unpatentable over JP-354068942A in view of Calvino [US 4,379,957].

Regarding Claims 16 -18, JP-354068942A discloses the drive devices [23, 13] for the circuit breaker interrupter unit [4] and the disconnector unit [2] however the devices are not disposed on an outer periphery of the respective coupling houses. Calvino discloses a gas-insulated switching device with drive mechanisms disposed on an outer periphery of the respective coupling houses [Figure 1]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to dispose the drive devices on an outer periphery of the respective coupling houses in JP-354068942A, as suggested by Calvino, in order to make the gas-insulated switching device compact.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Muraki et al. [7,053,326], Piazza [US 6,444,937], Meinherz [US 6,127,641] all disclose switching devices. Applicant also should consider these references in response to this office action. Should issue arise concerning the rejection presented above, these references may be relied upon in a subsequent action to support the lack of novelty or obviousness of claimed subject matter to one of ordinary skill in the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARINA FISHMAN whose telephone number is (571)272-1991. The examiner can normally be reached on 7-5 M-T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marina Fishman  
February 12, 2008

/K. Richard Lee/  
Acting SPE of Art Unit 2832